THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI PANABAKA LAKSHMI): (a) to (d) Health being a State subject under the Constitution of India, it is basically for the State Governments to provide adequate health care facilities in the State.

Further, under the 'Pradhan Mantri Swasthya Suraksha Yojana (PMSSY)' it has been decided to set up an AIIMS like institution in Bihar at Patna to provide comprehensive speciality ans super-speciality treatment facilities.

SC on Organ-Donation

†3944. SHRIMATI PREMA CARIAPPA:
SHRI MOTILAL VORA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Supreme Court has given some suggestions regarding organ-donation;

(b) if so, the details thereof; and

(c) the steps Government are taking to make a law in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI PANABAKA LAKSHMI): (a) Yes, Sir.

(b) Hon'ble Supreme Court *vide* their judgement dated 31.3.2005 in Writ Petition No. 156 filed by Shri Kuldip Singh and other v/s State of Tamil Nadu has suggested that in the case of donor's willingness to donate the organ, the approval for donation is to be given by the state of his/her residence and before granting permission for donation of organ, recipient and donors my be requested to furnish income particulars for previous three financial years and their vocations and accordingly rules/act may be amended.

(c) The suggestions given by the Hon'ble Supreme Court have been referred to the Committee constituted by the Hon'ble Delhi High Court (as per the judgement dated 6.9.2004 in W.P. No. 813/2004) to review the provisions of the Transplantation of Human Organs Act, 1994 and the Transplantation of Human organs Rules, 1995 for necessary action.

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†Original notice of the question was received in Hindi.